IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22740 of 2004

Between:

K. Venkataramana, S/o. Rangaiah,
T. Kothapalli (V), Gooty (M), Anantapur District.

..... PETITIONER

AND

1 The Joint Collector, Anantapur, Anantapur District.
2 The Revenue Divisional Officer, Anantapur, Anantapur District.
3 The Mandal Revenue Officer, Gooty, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of 1st respondent in not disposing of the appeal which is filed by before him against the orders of the 2nd respondent passed in Rc.No. D1/CS/1374/2004 dt. 28-9-2004 and the action of the 2nd respondent in not completing the enquiry initiated by him as illegal, arbitrary and consequently direct the 2nd respondent to complete the enquiry as expeditiously as possible and further direct the respondents to continue the petitioner as FP Shop dealer of T. Kothapalli Village, Gooty (M) of Anantapur District pending disposal of enquiry before the 2nd respondent

Counsel for the Petitioner: MR.K.SITA RAM

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following:

ORDER:

-

Petitioner is a fair price shop dealer. His authorization was suspended by the 2nd respondent through order, dated 28.09.2004. Aggrieved thereby, he preferred an appeal before the 1st respondent together with an application for grant of stay. The grievance of the petitioner is that no orders have been passed either in the appeal or in the stay petition so far.

Heard the learned counsel for the petitioner, the learned Government Pleader for Civil Supplies and the learned counsel for the caveator, who is said to have been appointed as a temporary dealer.

The authorization of the petitioner was suspended on certain allegations. Petitioner has already submitted his explanation before the 2nd respondent. The truth or otherwise of the charges against the petitioner needs to be considered in the proceedings before the 2nd respondent. This Court is not inclined to pass any order, so as to enable the petitioner to function as dealer, at this stage.

Learned counsel for the petitioner submits that his client does not intend to press for appeal, if the same has not been disposed of as yet, and instead the 2nd respondent may be directed to expedite the enquiry.

Hence, the writ petition is disposed of directing the 2nd respondent to conclude the proceedings initiated against the petitioner, within a period of six weeks from the date of receipt of a copy of this order. If the 1st respondent has not passed any orders so far in the appeal, it shall not be necessary for him, since the petitioner states that he does not intend to press the appeal. No order as to costs.

_____

L.NARASIMHA REDDY, J

Dated : 20th December, 2004

Note: Office to furnish copy

In four days.

(B/o.)

Ts

To

1 The Joint Collector, Anantapur, Anantapur District.
2 The Revenue Divisional Officer, Anantapur, Anantapur District.
3 The Mandal Revenue Officer, Gooty, Anantapur District.

4 2 CCs to the G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT).

5 2 CD copies.